

8 June 2015

ATTN: Garrett Martin, President and CEO
Milestone Community Builders, LLC
ARG Bull Creek, LTD
9111 Jollyville Road, Suite 111
Austin, Texas 78759

RE: Milestone Community Builders Proposed Development "The Grove at Shoal Creek"
Response to Garrett Martin Letter Dated May 29, 2015
COA Case Number CD-2015-0009

Mr. Martin,

We are in receipt of your "Initial Response Letter" to our original correspondence outlining what we, as owners of single family homes on 45th Street, consider to be our priorities regarding Milestone's new multi-use development "The Grove at Shoal Creek." While we appreciate your written response and have indeed participated in multiple group and public meetings regarding the development, we have not seen much progress from Milestone in addressing our top priorities and concerns as homeowners directly adjacent and significantly impacted by this large development. Hence, we placed our priorities and concerns in writing and sent them to you for what we hoped would be careful consideration.

Unfortunately, your response outlines a number of misconceptions and repeats the same Milestone "commitments" that were originally provided at the very beginning of this dialogue. Please allow us to address a few points that we find to be most important in understanding our concerns and priorities:

1. Please understand that the property purchased by Milestone was originally dedicated by the State of Texas as a State cemetery. The history of this property is long, but it literally required an act of Congress to allow the sale of this property to Milestone for private development. It was not "quite obvious," as you state, to many of the 45th Street homeowners that townhomes, office buildings, parking garages, etc., would be built within a stone's throw of our homes since State law, at the time many of us purchased our homes, dedicated this land to public cemetery use.
2. You are correct in your statement that "45th Street residences are in a unique circumstance," and we appreciate you recognizing this fact. However, we have not seen any unique proposals from Milestone on how the proposed development will mitigate the substantial interference with the use and enjoyment of our single family properties. We sincerely believe that our priorities for The Grove at Shoal Creek, which we outlined in our original letter, will help mitigate the effects of the development for our properties. Furthermore, the priorities we outlined have been used in recent multi-use developments within the City of Austin and with great success.
3. We do not believe that a greenbelt buffer between our single family homes and the large and higher density proposed development is "unprecedented in the urban core and unacceptable," as you purport in your letter. The Mueller Community has been referred to as "a masterwork of smart urban design" and "urban utopia" in national media (*NPR Cities Project*, February 12, 2015). The City should be proud to have this nationally recognized urban infill development within its limits, and we desperately want Milestone's The Grove at Shoal Creek development to be similarly praised.

As property owners directly adjacent to this proposed development, we particularly appreciate the greenbelt buffer provided by the Mueller Community between their new higher density buildings and the existing single family homes in the Delwood neighborhood. This greenbelt buffer, named the Mueller Northwest

Greenway, provides more than 200 feet of separation between the existing community and new buildings, and it allows those homeowners to enjoy their homes and yards without substantial interference from the larger, higher density, and mixed-use Mueller development.

We believe the Mueller Northwest Greenway provides a perfect example of the type of greenbelt buffer we find appropriate between our single family homes and The Grove at Shoal Creek. The Greenway receives 5-star reviews on Google with public comments such as “this is hands down my favorite playground in Austin” and “I really love what they’ve done with this area.”

The Mueller Northwest Greenway not only provides a natural noise, visual, and density-disparity buffer between the existing neighborhood and new development, it also provides trail connectivity to other City parks and points of interest in the Mueller Community. Similarly, a greenbelt buffer between 45th Street homes and the new development would provide excellent connectivity to The Grove’s 12 acre *Signature Park*- an area of extraordinary natural beauty within the urban core of Austin that should have ample connectivity to public streets, sidewalks, bicycle routes and public transit. A greenway along The Grove would also contain ample space to provide vehicle access to the rear of 45th Street homes as currently granted by Milestone’s conceptual master plan, and it could be an ideal location for innovative and environmentally sensitive drainage controls such as bio-swales and infiltration ponds that are compatible with and help preserve the beautiful wildflower meadows that are pre-existing and abundant on this undeveloped land. The greenbelt buffer – our number one priority – would serve all of these important purposes and help Milestone achieve an “urban utopia” legacy for The Grove at Shoal Creek.

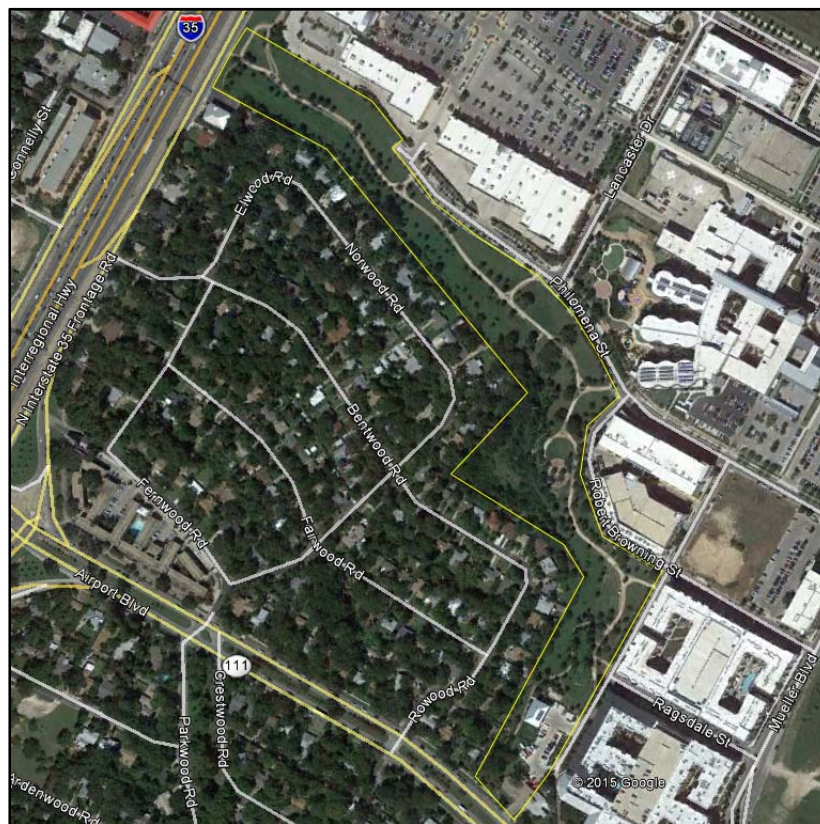


Figure 1. Mueller Northwest Greenway (outlined in yellow).

4. Your letter expresses “surprise” that many 45th Street property owners are against vehicle access to The Grove at Shoal Creek through the current single family house recently purchased by Milestone at 2627 W

45th Street. Those in the meeting you referenced were satisfied with vehicle access through that property *only if that access was restricted to 45th Street residents* – not the entire 1,500+ unit development. This specific circumstance was seemingly ignored by Milestone, intentionally or not, in order to propose another major corridor for vehicle access in and out of the proposed development. This vehicle access would further increase congestion and conflicting movements on the 45th arterial and create an even more severe safety situation for those that must navigate in and out of their driveways on 45th Street. Furthermore, Milestone's initial Traffic Impact Analysis does not appear to address these concerns for this proposed vehicle access to The Grove at Shoal Creek. We believe the property at 2627 W 45th Street would be better suited for pedestrian and bicycle connectivity between a greenway as described previously and the Rosedale and Allendale neighborhoods to the north – an important alternative transportation connection to communities north of The Grove at Shoal Creek that is currently proposed through the busy, and soon to be busier, intersection of Bull Creek Road and 45th Street.

As we indicated previously, our goal is to maintain open, frequent, and constructive communication with you, the President and CEO of the developer of The Grove at Shoal Creek. Milestone may have accomplished *frequent* communication, but we sincerely hope and are actively working toward making this communication more constructive, and we would be grateful if Milestone would reciprocate our honest intentions. We request a meeting with you at the earliest available opportunity to discuss these topics further.


Thank you,
The Undersigned 45th Street Property Owners

cc: Sherri Sirwaitis, Case Manager, City of Austin Department of Planning and Zoning
Sheri Gallo, Council Member, City of Austin District 10
Leslie Pool, Council Member, City of Austin District 7
Bull Creek Road Coalition (via listserv email distribution)

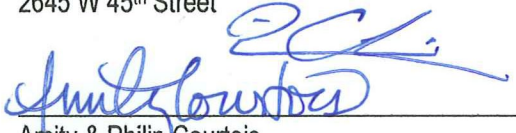
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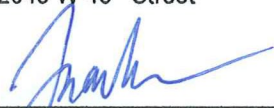
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The Undersigned 45th Street Property Owners



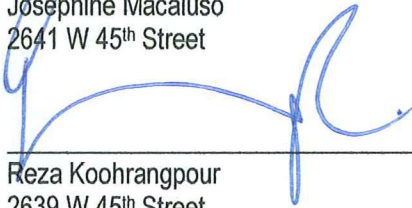
Ferinaz & Anoushtakin Arman
2645 W 45th Street



Armit & Philip Courtois
2643 W 45th Street



Josephine Macaluso
2641 W 45th Street



Reza Koohrangpour
2639 W 45th Street



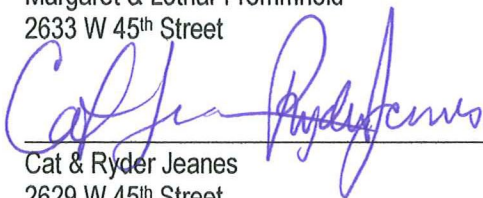
John Moore & Suzanne Bradford
2637 W 45th Street



Daniel Hernandez
2635 W 45th Street



Margaret & Lothar Frommhold
2633 W 45th Street



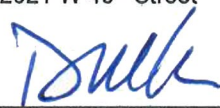
Cat & Ryder Jeanes
2629 W 45th Street



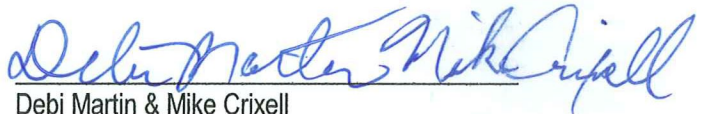
Lacy Moore
2625 W 45th Street



Grayson Cox & Daniel De La Garza
2621 W 45th Street



Andrea & Andrew Bradford
2619 W 45th Street



Debi Martin & Mike Crixell
2617 W 45th Street



Maya & Joseph Cajas
2615 W 45th Street



ARG BULL CREEK, LTD

May 29, 2015

Interested Residents of the 2600 Block
South Side of 45th Street
Austin, Texas

RE: The Grove at Shoal Creek; City File No.: CD-2015-0009;
Initial Response to Letter dated May 26, 2015

Dear 45th Street Residents:

Milestone Community Builders has enjoyed and appreciates the extensive dialogue that we have had to date with you all regarding the above project. We also look forward to continuing those discussions. As you know, we have had 23 official meetings with various neighborhood groups on this project. We have met twice formally with the 45th Street residents. We have also exchanged numerous emails, had phone calls and had unofficial visits with you all. 45th Street residents have been present at many of the larger community meetings as well, where we have had extensive additional dialog.

We feel strongly that The Grove at Shoal Creek represents a rare and special opportunity for the City of Austin to implement a progressive vision for future development by creating a compact and connected, mixed-use urban infill development that is also appropriate in scale and provides numerous community benefits. This style and type of development is exactly what Imagine Austin is meant to address. Sites of this size and configuration so close to MoPac and major employment centers are extremely rare, and the City should not miss this unique opportunity to implement a new vision for development. The 45th Street residences are in a unique circumstance in that they front on a busy arterial and back-up to vacant, undeveloped land that was surplus State land and is (quite obviously) in a prime location for future development. Milestone did not create this pre-existing circumstance, but have been committed to mitigating any project impacts on the 45th Street residences to the extent feasible, normal and customary. During these many months of community engagement, we have had productive discussions in this regard.

Specifically, we have discussed with the 45th Street residents in our meetings the following: setbacks, height, landscaping, the construction (at Milestone expense) of an alley to provide safe access to the 45th Street residents, and a project connection for vehicular, pedestrian and bicycle access to 45th Street. In our most recent discussions, we had been asked to provide a 50' no build buffer along our common property line. When the issue of connection to 45th Street was discussed, we specifically asked if there would be any objection to a right-in and right-out vehicular connection. Any objections that were raised were addressed and it was agreed that we would provide access to 45th. As



ARG BULL CREEK, LTD

result, we find these elements of your letter surprising, unprecedented in the urban core (with respect to the 200 foot buffer) and unacceptable. In fact, our understanding was that we would have further discussions after the revised conceptual plan was developed. Your letter has pre-empted those further discussions.

We are preparing an overall package of project commitments that will address all of the community issues we have heard to date. These commitments will include commitments to address compatibility with the 45th Street residences. We look forward to meeting with you all soon to go over these commitments. In summary, the commitments to 45th Street will offer the following 2 options:

1. We will expand Tract A to 200 feet. We will ***exceed City Compatibility Standards*** for the first 200 feet by increasing the building setback to 30 feet and reducing height to 40 feet on the entire Tract A. We will build the alley and provide additional landscaping, pedestrian path, and fencing.
OR
2. We will expand Tract A to 200 feet. We will build only detached residential homes (single-family residential product type) along the property line. We will comply with regular City Compatibility standards within Tract A. No alley would be built and no additional landscaping, pedestrian path, or fencing would be provided.

Under either option, compatible uses are provided adjacent to the 45th Street residences. Under either option, the City compatibility standards are either met or exceeded for Tract A. As a result, we feel strongly that we will be addressing any impacts to your uniquely situated homes.

We appreciate your willingness to continue to meet and discuss this important project. We are also very ready and willing to meet and further discuss the issues raised in your letter. Thank you for your attention to and consideration of this matter.

Sincerely,

Garrett Martin, President & CEO

cc: Sheri Gallo, City Austin City Council District 10
Sherri Sirwaitis, City of Austin Planning & Zoning Department